

Summary of Meeting Transfers Agency Group July 29, 1997

Key Discussion Items

- Status of the BDAC Water Transfer Work Group - The first meeting is scheduled for August 7, 1997, 9:30 to 12:30, in the Resources Building. A list of interested BDAC members and a draft list of invited participants was distributed to the group.
- Review and discussion of the draft schedule for the water transfer program elements. The timeline for development of policy options has been moved forward to October 1997 to be consistent with development of the draft Programmatic EIR/EIS.
- A graphic version of the "root" of water transfer issues was distributed and discussed.
- Review and discussion of the first draft issue paper 2. (Time was not available to discuss any of the other draft issue papers, but comments on all of them are to be provided to the primary authors by Friday, August 1.)

Issues and Discussion Points

- CALFED is still looking for representation on the BDAC transfer work group from a north-state environmental interest. Any suggestions can be forwarded to Rick Soehren.
- After consultation with CALFED counsel, it appears that use of small "break-out" groups for development of issue resolutions is allowed as long as ideas are formulated as advice and brought back before the larger BDAC work group for discussion.
- Rick Soehren distributed a draft list of key points developed by the Bay Area Water Policy Forum. The draft points include the forum's desire for CALFED to move quickly toward advancing water transfer legislation. The *Model Water Transfer Act* is cited by the forum as a base document for the CALFED process. Most of the agency representatives in the Transfer Agency Group felt that it would harmful to start with the Act at this time, since it only offers one possible solution (one not agreed to by many), and does not first allow for clarification of and consensus on what issues require resolution. Concern was also expressed that having CALFED provide the Act to BDAC members may be viewed as endorsement of the Act. This was felt to be undesirable.
- It was generally agreed upon that the issues requiring resolution need to be understood and agreed upon before undertaking possible solutions. In addition, regardless of whether or not CALFED develops a Bay-Delta solution, water transfer issues still need resolution. The first step toward that is understanding of the issues by all interests.
- Several members asked to be briefed on the water transfer modeling assumption being made as part of the CALFED impact analysis. Is the group responsible for providing the modelers with input and direction? Rick will provide more information by the next meeting. Ray Hoagland stated that his team of economists has been asked to help Stein Buer develop estimates of water transfers.
- A graphic version of water transfer issues was distributed. A question was raised as to where non-consumed (recoverable) losses in the context of third party impacts are considered. It was noted that this issue is incorporated under the *No Injury* "root" but may

DRAFT

need to be clarified. Concern was expressed that all of the issues listed may be perceived as "problems needing resolution", when several of the issues are easily dealt with during the transfer review process. A change in the title or use of a legend may help alleviate this concern. The graphic will be made available to the BDAC work group.

- A revised version of issue paper 1 was distributed. Mike Heaton tried to incorporate comments of the group but did not receive the Bureau of Reclamation comments until after redrafting the paper. Consider this a work-in-progress draft.
- Issue paper 2 was discussed at length. It was suggested that the paper be modified to include clarification of when the State Water Resources Board has jurisdiction over approval of water transfers. In addition, the issue of multi-jurisdictional requirements and the cumbersome process entailed should be discussed. This is a primary concern of many stakeholders. It was also felt that a list of historic transfers could be a helpful tool. Ray Hoagland stated that DWR is working on compiling such a list.
- Several questions were raised to the Board such as: when do multiple short-term transfers become long-term and thus require CEQA documentation? Could programmatic CEQA documents be developed to help streamline the approval process? Answers to these will be incorporated into a revised version of issue paper 2.
- The group generally felt that CALFED needs to assume that representatives on the BDAC transfers work group are educated on transfer issues. The issue papers could be used as a good basis for educating those that may not be as well informed as others. The process, it was felt, does not have the time to spend educating the participants. It was suggested that keeping the BDAC work group focused on the objectives of the process would help maintain the appropriate level of detail and education. It was further suggested that the issues developed by this group should be presented to bdac as possible issues with recommendations as to a priority for discussion and resolution.

Action Items

- All comments on the issue papers should be provided to the primary authors (Mike Heaton or Jerry Johns) by Friday, August 1, 1997. Mike and Jerry will revise issue papers based on comments and provide them to Rick Soehren by Monday, August 11, 1997. Revised issue papers will be distributed to the group members prior to the next meeting.
- Rick Soehren will discuss the group's concerns with providing the *Model Water Transfer Act* to the BDAC work group with Lester and the BDAC transfer work group co-chairs.
- Group members will review the recently revised issue paper 1 and provide comments directly to Mike Heaton. A meeting with the Bureau of Reclamation can be arranged to ensure that their comments are properly incorporated, if necessary.
- Rick Soehren will discuss the water transfer modeling assumptions with Stein Buer to determine the role, if any, of the Transfer Agency Group.
- Comments on the graphic representation of water transfer issues should be provided to Jerry Johns by Friday, August 1, 1997.

The next meeting of the Transfers Agency Group is scheduled for August 19, 1997, 9 a.m. in the Resources Building (location to be determined).